

**MINUTES OF A REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
JANUARY 22, 2014**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, January 22, 2014, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

Roll Call.

Clerk-Treasurer Juanita S. Boehm called the roll.

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| Mayor Terry Seitz | Present |
| Council members: | |
| Gregory Schnarr | Present |
| David Prechtel | Present |
| Thomas Schmidt | Present |
| Earl Schmitt | Present |
| Kevin Manley | Present |
| Randall Buchta | Present |
| Raymond Howard | Present |
| City Attorney Renee Kabrick | Present |
| Clerk-Treasurer Juanita S. Boehm | Present |

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance; therefore, there was a quorum for the meeting.

Pledge of Allegiance. Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

Approval of the Minutes.

The following minutes were distributed to and examined by the Council:

1. December 18, 2013 regular common council meeting
2. January 8, 2014 memorandum from joint executive session with the Utility Service Board
3. January 10, 2014 joint special meeting with the Utility Service Board
4. January 16, 2014 memorandum from joint executive session with the Utility Service Board

A **motion** was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to approve the four sets of minutes as presented. Motion carried 7-0.

Public hearing. Mayor Seitz then opened the public hearing regarding the petition of Prague Properties LLC to vacate a portion of a public utility and drainage easement on part of Lots 14, 15, 16, and 17 of Rolling Ridge Estates.

A notice appeared in the Herald on January 10, 2014 and was posted at city hall.

Phil Buehler with Brosmer Land Surveying said he is representing Prague Properties LLC. He showed the Rolling Ridge Estates plat as well as an aerial photo. He said they are in the process of replatting a portion of part of Lots 13-17. Buehler said his client wants to vacate the 25 ft. easement on the east side of Lots 14-16 and vacate a 10 ft easement on the north property line of Lot 17. He added that currently there are no utilities in the easements.

Comments from the City departments were reviewed. City Engineer Chad Hurm did not have an issue with the vacation as long as the curb turnout and drainage along the north line are addressed. Street Commissioner Raymond Eckerle 's comments said there is a drainage curb turn-out along the east side of Rolling Ridge Court that drains storm water runoff into the 10 ft PUDE located along the north of Lot 17. The street department does not recommend vacating the 10 ft easement located along the north property line of Lot 17 and have the easement continue to be utilized for storm water runoff.

Buehler said he made his client aware of the City's concerns and they are okay if the City does not vacate that particular easement.

City Attorney Renee Kabrick said drainage water is not running through that easement. If the area to the north is developed, a drainage plan would have to be included and a storm sewer addressed at that time.

Mayor Seitz asked for comments from the public. No comments were received.

A motion was made by Council member David Prechtel and seconded by Council member Thomas Schmidt to close the public hearing. Motion carried 7-0.

ORDINANCE NO. 2014-1 AN ORDINANCE VACATING A PUBLIC UTILITY AND DRAINAGE EASEMENT

This ordinance vacates a public utility and drainage easement on part of Lots 14, 15, 16, and 17 of Rolling Ridge Estates. [petition from Prague Properties LLC]

A motion was made by Council member Gregory Schnarr and seconded by Council member Raymond Howard to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to read the ordinance by title only. Motion carried 7-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Gregory Schnarr to pass and adopt Ordinance No. 2014-1. Motion carried 7-0.

During discussion it was noted that if the street goes through the drainage issue will be addressed at that time.

Public hearing. Mayor Seitz then opened the public hearing to provide interested parties an opportunity to express their views on a proposed federally funded DR2 project that will include the following activities: acquisition and demolition of properties located within a flood plain between Main, Jackson, First, and Second Streets.

A notice appeared in the Herald on January 11, 2014 and was posted at city hall.

Lisa Gehlhausen, Executive Director for Indiana 15 Regional Planning Commission, said the City of Jasper has been offered a grant from the Indiana Housing and Community Development Authority. This Disaster Recovery Appropriation II funds (DR-2) is funded by the federal Housing and Urban Development. These funds are to be used for a disaster recovery project that will include the following activities: Acquisition and Demolition of properties located within a flood plain between Main, Jackson, 1st, and Second Streets in the City of Jasper. The total amount of CDBG funds is estimated to be \$544,584. The funds proposed are to be used for removal of blighted conditions. This is a 100% reimbursement grant.

Gehlhausen said this is a voluntary program. The area has seven property owners one of which is the City of Jasper. There are four residences, one business, and vacant land. There was a meeting with the property owners on January 7, 2014. She then explained the procedure and time frame involved with the grant.

Mayor Seitz then asked for comments from the public. No comments were received.

Thereafter, a **motion** was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 7-0.

Resolution No. 2014-1 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA DECLARING A CERTAIN AREA WITHIN THE CITY OF JASPER TO BE AN AREA IN NEED OF REDEVELOPMENT

This resolution designates an area bounded by 2nd Street on the north, Jackson Street on the east, First Street on the south, and Main Street on the west as "an area in need of redevelopment" for the flood mitigation project.

A motion was made by Council member Raymond Howard and seconded by Council member David Prechtel to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Kevin Manley to read the resolution by title only. Motion carried 7-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member Thomas Schmidt and

seconded by Council member Randall Buchta to pass and adopt Resolution No. 2014-1. Motion carried 7-0.

Grant agreement. City Attorney Renee Kabrick said the City needs to approve the grant agreement for the flood mitigation project. She said a new grant application was not filled out so before signing the agreement, if approved, she would like to review the agreement to make sure it does not reference the old application.

A **motion** was made by Council member Raymond Howard and seconded by Council member Randall Buchta to authorize the signing of the grant agreement contingent upon the matter of the application language is resolved by the attorney. Motion carried 7-0.

Agreement with Region 15. Lisa Gehlhausen asked the City to enter into an agreement with Indiana 15 Regional Planning Commission to administer the above-listed grant and work with the City. The agreement amount, which is part of the grant, is for \$27,229.00.

A **motion** was made by Council member David Prechtel and seconded by Council member Kevin Manley to accept the agreement with Indiana 15 Regional Planning Commission for \$27, 229.00 to administer the grant. Motion carried 7-0.

Labyrinth/grant. Mayor Seitz said the Board of Public Works and Safety approved a contract for professional services with Indiana 15 Regional Planning Commission for \$500.00 to develop and administer a grant to the Office of Tourism Development. The grant would be used along with funding from Jasper Desk to install a labyrinth in the river walk area.

Lisa Gehlhausen then explained the labyrinth project that will cost \$70,000. The dollar for dollar matching grant being applied for is for \$35,000. For the match, Jasper Desk transferred \$27,000 to ROJAC and ROJAC applied to the Dubois County Community Foundation for \$8,000. Gehlhausen said a decision regarding the grant application should be decided by mid-March.

Board appointment. Mayor Seitz said the council needs to appoint one of its members to the Dubois County Solid Waste Management District Board.

A **motion** was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to appoint Randall Buchta to the Dubois County Solid Waste Management District Board. Motion carried 7-0.

Utility Service Board. General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on January 20, 2014. Copies of the minutes are supplied to each council member.

Dubois Strong report. Alan Johnson, Chairman of the Board for Dubois Strong, gave a report about Dubois Strong activities from 2013. Some of the main focus

areas for 2013 were: renewed focus on private sector engagement, regional leadership, improved responsiveness to requests for information by licensing powerful data tools, and increased access to capital for entrepreneurs. He also reported on its new three-year strategic plan that will emphasize the following initiatives: Workforce growth, Business growth, and Entrepreneurial growth.

Johnson said Dubois Strong wants to give a report to the Council twice a year.

President pro tempore. Mayor Seitz said the council members need to choose from its members a president pro tempore to preside whenever the executive is absent.

A **motion** was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to nominate Council member Thomas Schmidt to serve as president pro tempore. Thomas Schmidt accepted the nomination. The motion carried 6-0 with Schmidt recusing himself from the vote.

List of encumbrances. A list of 2013 budget items to be encumbered was presented. A motion was made by Council member Kevin Manley and seconded by Council member Randall Buchta to accept the list of encumbrances. Motion carried 7-0.

Conflict of interest statement. Mayor Seitz presented a conflict of interest disclosure statement submitted by Jerald Schitter. Schitter is the City's electric distribution manager and serves as a member of the Indiana Municipal Power Agency.

A **motion** was made by Council member Kevin Manley and seconded by Council member Earl Schmitt to accept the conflict of interest disclosure statement submitted by Jerald Schitter. Motion carried 7-0.

Gas license application. Mayor Seitz asked the council to consider a gas license application submitted by Matthew Gasser with Huntingburg Machine Works. Mr. Gasser scored a 100% on the test and answered all of the mandatory questions accurately.

A motion was made by Council member Earl Schmitt and seconded by Council member Kevin Manley to approve the gas license application submitted by Matthew Gasser. Motion carried 7-0.

Petition to vacate an easement on Lot 120 of Golden Acres IV. At the December 18, 2013 council meeting there was a motion to table the petition submitted by Mr. Wollenmann until the January meeting to see if there is any more information Mr. Wollenmann can provide.

On January 14, 2014 Phil Buehler with Brosmer Land Surveying and representing Mr. Wollenmann, informed the City that they will not be further pursuing the vacation of any portion of the easement. After having marked the easement line and meeting with his builder, Mr. Wollenmann has decided that there is a viable

option for adding onto his house that would not require encroachment into the existing easement.

Resolution No. 2014-2 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA REGARDING THE SALE OF REAL ESTATE AT FIFTEENTH STREET AND NEWTON STREET IN THE CITY OF JASPER, INDIANA

This resolution allows the sale of property located on the southeast corner of Newton and 15th Streets to an adjacent landowner.

A motion was made by Council member Raymond Howard and seconded by Council member David Prechtel to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Gregory Schnarr to read the resolution by title only. Motion carried 7-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member Kevin Manley to pass and adopt Resolution No. 2014-2. Motion carried 7-0.

Adjournment. There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Randall Buchta to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:09 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 19th day of February, 2014.

Mayor Terry Seitz
Presiding Officer

Attest: _____
Juanita S. Boehm, Clerk-Treasurer